

## **Probate Notes for May 14, 2007**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to have your petition preapproved or would like to continue the matter to cure defects, contact the probate examiner at (530) 406-6718 between the hours of 2 p.m. and 4 p.m.

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**Case: LPS Conservatorship of Balics**  
**Case No. LPSQ 07-03**

It is recommended to grant the petition for appointment of LPS conservator of the person and estate.

**Case: LPS Conservatorship of Moore**  
**Case No. CV PB 05-85**

It is recommended to approve the 2<sup>nd</sup> account and report of conservator and grant the petition for reappointment of LPS conservator of the person and estate.

**Case: In re the SEH Revocable Trust Dated June 2, 1992**  
**Case No. CV P2 04-60**

It is recommended to **OVERRULE** the demurrer of Karen Garman to the Petition to Vacate Order; To Void Agreement. A party may demur only to a complaint, a cross-complaint, an answer, or a will contest. (Code Civ. Proc., §§ 430.10 and 430.20; Probate Code § 8251.) The Petition to Vacate Order appears to be, in reality, a motion to set aside a void judgment pursuant to Code of Civil Procedure section 473, subdivision (d). A demurrer is not the proper method of attacking such a motion.